

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**LOGAN COLIN DUNCAN,**

Plaintiff,

v.

**THE STATE OF TEXAS, *et al.*,**

Defendants.

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Civil Action No. **3:15-CV-711-L**

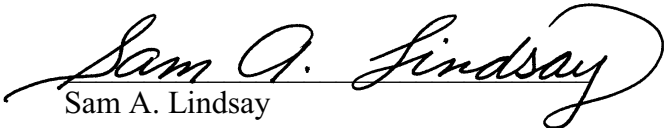
**ORDER**

The case was referred for screening to Magistrate Judge David L. Horan, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on September 17, 2015, recommending that the court dismiss with prejudice Plaintiff’s claims against all named Defendants and allow Plaintiff to file an amended complaint that includes any claims he may have against Major Breeden. No objections to the Report were filed.

Having reviewed the pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **dismisses with prejudice** Plaintiff’s claims against the following Defendants: the State of Texas; Johnson County Court; Walker/Sayle Correction Facility; Substance Abuse Felony Program; The Abode Halfway House; and Acutrace Laboratory. Pursuant to Federal Rule of Civil Procedure 54(b), the court expressly determines that there is no just reason to delay the entry of final judgment in this case as to these Defendants and **directs** the clerk of court to enter final judgment against these Defendants.

Further, if Plaintiff wishes to pursue a claim or claims against Major Breeden, he **shall** file by **December 31, 2015**, an amended complaint that only includes his claims against Major Breeden. *Failure to comply with this order may result in the dismissal this action without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute or comply with a court order.* The court **recommits** this case and Plaintiff's remaining claims against Major Breen to the magistrate judge for further screening.

**It is so ordered** this 24th day of November, 2015.

  
Sam A. Lindsay  
United States District Judge